

SUMMARY REPORT DIGEST
CHICAGO POLICE DEPARTMENTCOMPLAINT LOG NO.
1022255TYPE
CRDATE OF REPORT (Day-Mo.-Yr.)
03 March 2009

INSTRUCTIONS: To be used in all cases that are to be classified as either **EXONERATED**, **UNFOUNDED**, **NOT SUSTAINED**, or in **SUSTAINED** cases where the Disciplinary Recommendation does not exceed **FIVE (5) DAYS SUSPENSION**. SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED. SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: ☐ CHIEF ADMINISTRATOR,
INDEPENDENT POLICE REVIEW AUTHORITY ☒ CHIEF,
INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME
John F Spellman RANK
Sgt STAR NO.
981 EMPLOYEE NO.
[REDACTED] UNIT ASSIGN.
121 UNIT DETAILED

REFERENCE NOS. (LIST ALL RELATED C.L., C. B., I.R., INVENTORY NOS., ETC., PERTINENT TO THIS INVESTIGATION)

ADDRESS OF INCIDENT
3510 S Michigan Ave DATE OF INCIDENT - TIME
02 December 2008 1630 BEAT OF INCIDENT
0211

NAME		RANK	STAR NO	EMPLOYEE NO.	UNIT ASSIGN.	UNIT DETAILED
1.	[REDACTED]	Civ		[REDACTED]	122	
2.	TOVAR, Carolyn, Y	PO	5148	[REDACTED]	006	122
3.						
SEX/RACE	D.O.B.	DATE OF APPOINTMENT		DUTY STATUS (TIME OF INCIDENT)		
1 F/4	[REDACTED] 1960	27 Dec 1988		<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input type="checkbox"/> SWORN <input checked="" type="checkbox"/> CIVILIAN
2 F/1	[REDACTED] 1966	29 Jun 1992		<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN
3.				<input type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN
IF APPLIES, DATE ARRESTED/INDICTED		CHARGES		COURT BRANCH	DISPOSITION & DATE	
1.						
2.						
3.						

NAME	ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE
WILSON, Frank, F	Director, emp # [REDACTED] Unit 122			PAX 0454	M/1	[REDACTED] 1961 48
NAME	ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE
NAME	ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE
JAMES, Michele	Assist Dir Finance, emp # [REDACTED] Unit 122			PAX 0454	F/1	[REDACTED] 1968 40
MOSS, Derek, R	Police Officer, Star # 15451, Unit 122			PAX 0454	M/1	[REDACTED] 1956 52

☒ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES

**IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

Allegation #1
It is alleged that on 02 December 2009 between approximately 1400 and 1500 hours Civilian [REDACTED] states to PO TOVAR, "I don't want this shit over here it bothers me" and takes down the Christmas decorations and throws them on the floor.

Allegation #2
It is alleged that on 02 December 2008 between approximately 1400 and 1500 hours PO TOVAR states "you better not remove this (Xmas decorations) again or else watch what's going to happen to you" while standing there with an intimidating stare.

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

Reporting Sergeant was assigned this investigation on 10 December 2008. The face sheet and initiation report were included in the investigative package. R/Sgt obtained witness statements. (attachment 1, 2, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33)

R/Sgt obtained witness statements from each of the employees working in Unit 122 on 02 December 2008. Each statement contained basically the same statement, that they did not hear any conversation between [REDACTED] and TOVAR.

On 23 February 2009 the accused, [REDACTED] Unit 122 gave a formal statement at the Internal Affairs Division. The accused, [REDACTED] states she has a verbal altercation with Police Officer TOVAR in which TOVAR states "you better not remove this again or else watch what's going to happen to you" while standing there with an intimidating stare. In the accused statement [REDACTED] did not offer any independent witness's and did not offer any new evidence. (attachment 37)

On 24 February 2009 the accused, Police Officer TOVAR, Unit 122 gave a formal statement at the Internal Affairs Division. The accused, TOVAR states she has a verbal altercation with Civilian [REDACTED] in which [REDACTED] states "I don't want this shit over here it bothers me" and takes down the Christmas decorations and throws them to the floor." In the accused statement TOVAR did not offer any independent witness's and did not offer any new evidence. (attachment 36)

Based on the fact that there are no independent witnesses and no additional evidence the R/Sgt can neither prove or disprove the allegations.

SUMMARY

ATTACH-
MENTS

INVESTIGATIVE REPORTS-
SUPPORTING ALLEGATION
LIST ATTACHMENT NUMBERS:

INVESTIGATIVE REPORTS-
SUPPORTING ACCUSED MEMBER(S)
LIST ATTACHMENT NUMBERS:

PHYSICAL EVIDENCE LIST
ATTACHMENT NUMBERS:

TOTAL NUMBER OF ATTACHMENTS
SUBMITTED WITH THIS FILE:

37

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for --- days (not to exceed 5 days).

FINDINGS - RECOMMENDATIONS

ACCUSED: Civilian [REDACTED] emp # [REDACTED] Unit 122
ALLEGATION #1: Not Sustained
RECOMMENDATION: No disciplinary action warranted, case to be filed.

ACCUSED: Police Officer Carolyn Y TOVAR, Star # 5148, Emp # [REDACTED] Unit 122
ALLEGATION #2: Not Sustained
RECOMMENDATION: No disciplinary action warranted, case to be filed.

DATE INITIATED (Date complaint was received for investigation)

10 December 2008

DATE COMPLETED (Date of this report)

04 March 2009

ELAPSED TIME (Total time expressed in days)

85

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

Additional Witnesses
CR1022255

1. MUNOZ, Diana, J, Police Officer, Star # 18034, Emp# [REDACTED] PAX 0454, F/4,
DOB: [REDACTED] 1972, 36 Unit 122
2. VARALLO, Yasmin, B, police Officer, Star # 12600, Emp # [REDACTED] PAX 0454, F/4
DOB: [REDACTED] 1973, 35 Unit 122
3. THOMAS, Sandra, R, Police Officer, Star # 5471, Emp # [REDACTED] PAX 0454, F/1
DOB: [REDACTED] 1960, 48 Unit 122
4. SHELBY, Esther, M, Chief Voucher Expediter, Emp # [REDACTED] PAX 0454, F/1
DOB: [REDACTED] 1960, 48 Unit 122
5. HULL, Valarie, A, Contract Review Specialist, Emp # [REDACTED] PAX 0454, F/1
DOB: [REDACTED] 1957, 51 Unit 122
6. PALUMBO, Michael, P, Supervisor of Contract, Emp # [REDACTED] PAX 0454, M/2
DOB: [REDACTED] 1958, 50, Unit 122
7. COLLINS, James, T, Director of Administration, Emp # [REDACTED] PAX 0454, M/2
DOB: [REDACTED] 1959, 49, Unit 122
8. LEE-CHOW, Helen, Director of Administration, Emp # [REDACTED] PAX 0454, F/4
DOB: [REDACTED] 1969, 39 Unit 122
9. LONGANECKER, Molly, M, Supervisor of Accounts, Emp # [REDACTED] PAX 0454,
F/2, DOB: [REDACTED] 1973, 36 Unit 122
10. BLUSTAIN, Lawrence, H, Fiscal Administrator, Emp # [REDACTED] PAX 0454, M/2
DOB: [REDACTED] 1960, 49, Unit 122
11. MING, Leo, T., Coordinators Special Projects, Emp # [REDACTED] PAX 0454, M/4
DOB: [REDACTED] 1973 36, Unit 122